

Monte J. White & Associates, P.C.
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(940)723-0099
legal@montejwhite.com

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
ABILENE DIVISION

IN RE:

Cory Justin Wright

§ CASE NO. 13-10031-RLJ-13

§

§ HEARING DATE: May 7, 2014

DEBTOR(s)

§ HEARING TIME: 11:00 A.M.

FIRST MODIFICATION OF CHAPTER 13 PLAN AFTER CONFIRMATION

DATE: March 25, 2014

Pursuant to 11 USC 1329, the Debtor (per the undersigned attorney) or the Standing Chapter 13 Trustee, requests the following Modification of Debtor's Confirmed Plan herein:

I. HISTORY OF THE CASE

1. Date Case Filed: February 21, 2013
2. Date of Section 341 Meeting: March 26, 2013
3. First Payment Date: March 23, 2013
4. Date of Confirmation: May 3, 2013
5. Total Plan Term Prior to this Modification: 36
6. Number of Months from First Payment Date through month prior to estimated month of Modification Approval: 14
7. Remaining Plan Term (subtract item 6 from the lesser of item 5 or 60 months): 22
8. Amount of Arrears through the month prior to the date the Modification is filed: \$295.00
9. Date plan payments are to resume: May 2014
10. Total Payments Paid to the Trustee through the month prior to the date the Modification is filed with the clerk: \$1,680.00
11. Total payments due to the Trustee through the month prior to the date the Modification is filed with the clerk: \$1,870.00
12. Total Payments Due to the Trustee from the month the Modification is filed to the month the Modification is set for approval: \$300.00

13. List Dates of any Prior Orders Modifying, Interlocutory Orders, or Special Supervision Orders:
November 18, 2013-TRCC

II. MODIFICATION REQUESTED

(CHECK 1 OR MORE OF THE FOLLOWING 4 CHOICES)

- ☐ Plan payments remain at \$_____per month.
- ☒ INCREASE/DECREASE monthly payment from \$150.00 per month to \$235.00 per month (must coincide with resume date shown in item 9 above)
- ☒ Extend months from 36 months to 60 months (not to exceed 60 calendar months from month of First Payment Date)
- _____ Add balloon payment of _____ in _____ month (indicate how the balloon payment will be made)

All modifications that include a balloon payment will require testimony.

Any arrearages indicated in item 8 above shall be cured by the following method:

The arrearages will be absorbed into the plan base and Debtor will be current at the time the modification is set for approval.

III. RESUMPTION OF PAYMENTS TO THE TRUSTEE

(All information below must be complete)

Payments can only change as of the month the modification is approved. Payments to the Trustee in the amount of \$235.00 will resume on or before May 2014 for 46 months (item 7 above) remaining in the Modified Plan as of the date the modification is approved.

Base amount will change from \$6,380.00 to \$12,790.00

If the base amount has changed complete the following:

- | | |
|---|--------------------|
| 1. Total Paid in as of the month prior to Modification Approval: | \$1,980.00 |
| 2. (+)Plus Total Payments to be made through the Remainder of Plan:
(Making up any arrearages in item 9 above) | \$10,810.00 |
| 3. (=) New Base Amount | <u>\$12,790.00</u> |

IV. TREATMENT OF UNSECURED CREDITORS

Unsecured creditors are not guaranteed a dividend when a plan is confirmed. See general order 2006-1. Allowed general unsecured claims may receive a pro-rata share of the unsecured

creditors' pool, but not less than the section 1325(a)(4) amount of non-exempt property less allowed administrative and priority claims, after the TRCC becomes final. A proof of claim must be timely filed to be allowed.

V. SECURED, PRIORITY OR SPECIAL CLASS TREATMENT

ADD/DELETE/SURRENDER/CHANGE the following Secured, Priority or Special Class Unsecured Creditor(s):

C/D;A=ADD;D = DELETE; S = SURRENDER; CF = CHANGE FROM; CT = CHANGE TO

Code	Name	Class	Amount	Collateral	Value	Interest	Treatment
CF	IRS	P	\$298.00				\$11.04 per mo.
CT	IRS	P	\$298.00				\$5.52 per mo. for remaining plan term
A	Green Planet Servicing	S	\$7,101.79	homestead	\$7,101.79	0%	\$154.39 for remaining plan term

OR

☐ Check here if no changes are to be made to creditors.

Note: Changes to any creditors above shall not be effective until the Modification is approved.

VI. ATTORNEY FEES

Debtor's attorney shall be allowed an additional fee for this Modification in the total amount of \$350.00 plus \$50.00 in costs, of which \$400.00 will be paid through the Plan by the Trustee.

☐ Check here if no additional attorney fee has been added for this Modification of Plan after Confirmation.

VII. REASON FOR MODIFICATION

This modification is requested for the following reason(s): add post-petition mortgage arrears per agreed order

VIII. BUDGET INFORMATION

At the time of filing this modification the debtor shall provide a filed marked copy of the current budget (schedules I & J) and the three most recent pay stubs to the Trustee.

N/A

Respectfully submitted,

/s/Monte J. White
Attorney for Debtor(s)

CERTIFICATE OF SERVICE

I certify that a true copy of the above and foregoing Modification of Plan After Confirmation has been served by me on 03/25/2014, on all parties on the attached matrix, by ECF and/or United States First Class Mail, proper postage affixed.

/s/Monte J. White
Attorney for Debtor(s)

Label Matrix for local noticing
0539-1
Case 13-10031-rlj13
Northern District of Texas
Abilene
Tue Mar 25 15:41:19 CDT 2014

American Express Centurion Bank
c/o Becket and Lee LLP
POB 3001
Malvern, PA 19355-0701

Taylor CAD
co Lee Gordon
P.O. Box 1269
Round Rock, TX 78680-1269

United States Trustee
1100 Commerce Street
Room 976
Dallas, TX 75242-0996

306 Federal Building
1205 Texas Avenue
Lubbock, TX 79401-4037

AAFES/MIL STAR/EXCHANGE
c/o Creditors Bankruptcy Service
P.O. Box 740933
Dallas, TX 75374-0933

Ad Astra Rec
8918 W 21st St. N Suite 200
Mailbox: 112
Wichita, KS 67205-1880

American InfoSource LP as agent for
Verizon
PO Box 248838
Oklahoma City, OK 73124-8838

Amigo Energy
777 Post Oak Blvd., Ste700
Houston, TX 77056-3214

Anytime Fitness Gym
4762 S 14th St.
Abilene, TX 79605-4733

Calvary Portfolio Services
Attention: Bankruptcy Department
500 Summit Lake Dr. Suite 400
Valhalla, NY 10595-1340

Capl-frnrw
Po Box 30253
Salt Lake City, UT 84130-0253

Capital 1 Bank
Attn: Bankruptcy Dept.
PO Box 30285
Salt Lake City, UT 84130-0285

Capital One Auto Finance
3901 N Dallas Pkwy
Plano, TX 75093-7864

Capital One Auto Finance
9441 LBJ Freeway, Suite 350
Dallas, TX 75243-4652

Cavalry Portfolio Services
500 Summit Lake Drive, Ste 400
Valhalla, NY 10595-2322

Citibk Mc-bc
701 E 60th St N
Sioux Falls, SD 57104-0432

Cory Justin Wright
3102 Vine St.
Abilene, TX 79602-6637

Dept Of Ed-sallie Mae
Po Box 9500
Wilkes Barre, PA 18773-9500

(p)DISCOVER FINANCIAL SERVICES LLC
PO BOX 3025
NEW ALBANY OH 43054-3025

Diversified Adjustments
DASI-Bankruptcy
PO. Box 32145
Fridley, MN 55432-0145

Fingerhut
16 McLeland Rd.
St. Cloud, MN 56303-2198

First Premier Bank
3820 N Louise Ave
Sioux Falls, SD 57107-0145

Green Planet Servicing
P.O. Box 660016
Dallas, TX 75266-0016

Green Planet Servicing, LLC
c/o Pruy Law Firm, PLLC
2311 Canal, Ste. 124
Houston, TX 77003-1556

Hsbc Nv
P.O. Box 19360
Portland, Oregon 97280-0360

Internal Revenue Service
1100 Commerce
MC 5029 DAL
Dallas, TX 75242-1100

(p)INTERNAL REVENUE SERVICE
CENTRALIZED INSOLVENCY OPERATIONS
PO BOX 7346
PHILADELPHIA PA 19101-7346

(p)MICHAEL REED OR LEE GORDON
PO BOX 1269
ROUND ROCK TX 78680-1269

Military Star
PO Box 830031
Baltimore, MD 21283-0031

Monte J. White & Associates, P.C.
402 Cypress, Suite 310
Abilene, TX 79601-5151

NCo Fin-09
Attention: Bankruptcy
507 Prudential Rd
Horsham, PA 19044-2308

(P) PORTFOLIO RECOVERY ASSOCIATES LLC
PO BOX 41067
NORFOLK VA 23541-1067

Premier Bankcard/Charter
P.O. Box 2208
Vacaville, CA 95696-8208

Sallie Mae Inc. on behalf of
Department of Education
P.O. Box 740351
Atlanta, GA. 30374-0351

Speedy Cash
8400 E. 32nd St. N
Wichita, KS 67226-2608

(p)SPRINT NEXTEL CORRESPONDENCE
ATTN BANKRUPTCY DEPT
PO BOX 7949
OVERLAND PARK KS 66207-0949

Taylor Co. Central Appraisal District
1534 South Treadaway Blvd
Abilene, TX 79602-4927

USAA FEDERAL SAVINGS BANK
C O WEINSTEIN AND RILEY, PS
2001 WESTERN AVENUE, STE 400
SEATTLE, WA 98121-3132

Usaa Savings Bank
Po Box 47504
San Antonio, TX 78265-7504

Verizon Wireless
Verizon Wireless Department-Attn: Bankru
PO Box 3397
Bloomington, IL 61702-3397

Webbank-Fingerhut
6250 Ridgewood Rd
St. Cloud, MN 56303-0820

West Central Tx Coll B
Po Box 2586
Abilene, TX 79604-2586

Zale-cbsd
Attn.: Centralized Bankruptcy
PO Box 20363
Kansas City, MO 64195-0363

Pamela Jean Chaney
Monte J. White & Associates, P.C.
American State Building
402 Cypress, Ste. 310
Abilene, TX 79601-5151

Walter 12,13 Ocheskey
6308 Iola Avenue
Lubbock, TX 79424-2735

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified
by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

Discover Fin
Po Box15316
Wilmington, DE 19850

Internal Revenue Service
PO Box 21126
Philadelphia, PA 19114

Michael Reed
McCreary Veselka, Bragg & Allen P.C.
PO Box 1269
Round Rock, TX 78680

Portfolio Rc
Attn: Bankruptcy
PO Box 41067
Norfolk, VA 23541

(d)Portfolio Recovery Associates, LLC
c/o Capital One
POB 41067
Norfolk VA 23541

(d)Portfolio Recovery Associates, LLC
c/o Orchard Bank
POB 41067
Norfolk VA 23541

Sprint
PO Box 79357
City of Industry, CA 91716-9357

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)Green Planet Servicing, LLC

(d)American Express Centurion Bank
c/o Becket and Lee LLP
POB 3001
Malvern PA 19355-0701

(d)Taylor CAD
co Lee Gordon
P.O. Box 1269
Round Rock, TX 78680-1269

(d)Cory Justin Wright
3102 Vine St.
Abilene, TX 79602-6637

End of Label Matrix
Mailable recipients 45
Bypassed recipients 4
Total 49